

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

NATHANIEL S.)
Plaintiff,)
)
v.) CAUSE NO.: 1:19-CV-492-JVB-JEM
)
ANDREW SAUL, Commissioner of the)
Social Security Administration,)
Defendant.)

ORDER

This matter is before the Court on a Complaint [DE 1] filed on November 21, 2019, and on Plaintiff's Opening Brief [DE 14] filed on May 7, 2020. Both documents were filed by Plaintiff Nathaniel S. The Court referred this case to Magistrate Judge Susan L. Collins for a report and recommendation under 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72(b), and Local Rule 72-1. [DE 11]. Judge Collins issued her Report and Recommendation on October 30, 2020. [DE 21]. The parties were given notice that they had fourteen days in which to file objections to the report and recommendation. No party has filed objections.

Judge Collins recommends that the Court reverse the Commissioner's decision to deny Plaintiff supplemental security income and remand this case to the Commissioner for further proceedings because the ALJ failed to consider Plaintiff's mental health treatment records from the Indiana Department of Corrections.

Having reviewed the report and recommendation, the Court finds no clear error. Therefore, noting the lack of objection, the Court hereby **ADOPTS** in its entirety Judge Collins's Report and Recommendation [DE 21] and incorporates the Report and Recommendation into this Order. Accordingly, the Court **GRANTS** the relief requested in Plaintiff's Opening Brief [DE 14], **REVERSES** the final decision of the Commissioner of Social Security, and **REMANDS** this

matter for further proceedings consistent with this Order and the incorporated Report and Recommendation.

SO ORDERED on November 19, 2020.

s/ Joseph S. Van Bokkelen

JOSEPH S. VAN BOKKELEN, JUDGE
UNITED STATES DISTRICT COURT